

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

TONY RIPPETO, et al.)
)
 Plaintiffs,)
 v.) Case No. 4:10-cv-00273-JCH
)
 BURIAN'S SOUTH SIDE AUTO, Inc.,)
)
 Defendant.)

JUDGMENT

Plaintiffs filed this action to recover, inter alia, delinquent contributions and liquidated damages allegedly owed to the plaintiff employee benefit funds pursuant to 29 U.S.C. §§185 and 1132. Plaintiffs also seek to recover attorneys' fees, and costs incurred in this action. Defendant was served with the summons and complaint on February 19, 2010, and has not entered an appearance.

Plaintiffs have established that defendant is bound by collective bargaining agreements with District No. 9 of the International Association of Machinists and Aerospace Workers. These agreements require defendant to submit contributions to the District No. 9 Pension and Welfare Trusts. Based on unpaid contributions for the period of February 2010 through March 2010, defendant owes \$6,190.00 in contributions and \$1,238.00 in liquidated damages to the Welfare Trust. Based on unpaid contributions for the period of January 2010 through March 2010, defendant owes \$3,036.00 in contributions and \$607.20 in liquidated damages to the Pension Trust. Moreover, defendant owes \$288.00 in attorney's fees and \$436.00 in costs. The total amount owed by defendant to plaintiffs during this time period is \$11,795.20.

WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that plaintiffs shall recover from defendant the total of \$11,795.20.

SO ORDERED:

Jean C. Hamilton

UNITED STATES DISTRICT

JUDGE

Date: 3/23/10